

### **REMARKS**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

The Office Action and prior art relied upon have been carefully considered. In an effort to expedite the prosecution the claims have been amended to more clearly define the invention over the cited prior art.

Prior to a discussion of the prior art applicant, wishes to inquire as to the priority information listed by the Examiner in box 12 on the cover sheet of the Office Action. The Examiner has indicated that only some of the necessary document copies have been furnished. However, all the required copies have been furnished to the PTO. Therefore, applicant requests a review by the Examiner and an indication of what is missing from the official file.

Claims 233, 236, 237, 244 and 245 have been rejected under 35 USC 102(e) as anticipated by Nishioka (US 5,995,626)

#### 1. Regarding claims 233 and 244

Applicants have amended these claims to clarify features of the present invention. As generally recited in the new claims, features of the present invention include authenticating an examination terminal using a mobile user terminal and authenticating the examination terminal using the examination terminal. That is, it is a significant feature of the present invention to execute mutual authentication between a mobile user terminal and an examination terminal.

By contrast with the above-noted feature of the present invention, Nishioka et al. (US 5,995,626, hereinafter "Nishioka") does not disclose authenticating an examination terminal using a mobile user terminal. To be more specific, Nishioka does not disclose executing mutual authentication between a mobile user terminal and an examination terminal.

Although the present invention assumes electronic money transactions between a mobile user terminal and an examination terminal in a local environment, Nishioka assumes credit card

transactions between a user site apparatus and a retail store apparatus in an internet environment. As described above, the present invention and Nishioka are directed to totally different types of transactions.

In electronic money transactions, a mobile user terminal needs to authenticate an examination terminal. That is, mutual authentication needs to be executed between a mobile user terminal and an examination terminal.

In electronic money transactions, value information stored in electronic money is reduced in a transaction process. However, in credit card transactions, a credit card only demonstrates the existence of an account and does not store value information in the card itself, and value information is not reduced in a transaction process. Further, while, in electronic money transactions, it is not necessary to execute authentication by communicating with the central office for every transaction process, in credit card transactions, usually, it is necessary to execute authentication by communicating with the central office for every transaction process.

As described above, in electronic money transactions, the process for completing transactions requires only a mobile user terminal and an examination terminal, and consequently, to prevent value information from being reduced by an unauthorized examination terminal. In other words, since electronic money transactions need to be executed safely, a mobile user terminal needs to authenticate an examination terminal. That is, in electronic money transactions, mutual authentication needs to be executed between a mobile user terminal and an examination terminal. Thus, Nishioka does not require mutual authentication, and it naturally follows that Nishioka fails to enable secure electronic money transactions.

The examiner proposes that Nishioka's smart card corresponds to the electronic value card information of the present invention. However, Nishioka does not disclose updating (downloading) a smart card at all. Column 9, lines 16 to 30, and column 13, lines 48 to 65 of Nishioka disclose only a purchase transaction process for a general product using a smart card.

2. Regarding claim 236

With the present invention, a mobile user terminal updates variable value data of electronic value card information according to a command from an examination terminal.

By contrast with the above-noted feature of the present invention, Nishioka does not disclose updating variable information stored in a smart card in a transaction process. Since Nishioka assumes credit card transactions, credit card information does not change in a transaction process. Column 9, lines 16 to 30 of Nishioka, quoted by the examiner in the Office Action, does not disclose updating a smart card at all.

In view of the above, consideration and allowance are, therefore, respectfully solicited.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

A one-month extension of time is due with this response. The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to CBLH Deposit Account No. 22-0185, under Order No. 22223-00001-US from which the undersigned is authorized to draw.

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Respectfully submitted,

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